

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

DANIEL CLINCH,	)	
	)	
Plaintiff,	)	8:05CV371
	)	
v.	)	
	)	
CARGILL INCORPORATED, a	)	ORDER
Delaware corporation, and	)	
COMMONWEALTH ELECTRIC	)	
COMPANY, a Nebraska	)	
corporation,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the Court on plaintiff's motion to strike (Filing No. 47) and motion to dismiss with prejudice (Filing No. 48). Pursuant thereto,

IT IS ORDERED:

1) Plaintiff's motion to strike (Filing No. 47) is granted; the motion to dismiss (Filing No. 46) shall be stricken because it failed to identify the correct defendant in the caption.

2) Plaintiff's motion to dismiss (Filing No. 48) is granted; this action is dismissed with prejudice, each party to pay its own costs.

DATED this 7th day of February, 2007.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court